

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NICHOLAS M. SCHUCH, SR. :
3237 Pasqualone Boulevard : CIVIL NO. 02-CV-4584
Bensalem, Pennsylvania 19020 :
:
Plaintiff, :
:
versus :
:
ALLSTATE INSURANCE COMPANY :
1301 Virginia Drive :
Fort Washington, Pennsylvania 19034 :
:
Defendant. :
:-----:

DEFENDANT'S MOTION FOR EXTENSION OF TIME FOR DISCOVERY

COMES NOW DEFENDANT, ALLSTATE INSURANCE COMPANY ("Allstate"), who respectfully suggests to the Court that Pro Se Plaintiff, Nicholas M. Schuch, Sr., has not provided any discovery responses or produced any disclosures pursuant to Rule 26 of the Federal Rules of Civil Procedure. A deposition of the Plaintiff was scheduled on December 12, 2002, at 10:00 a.m. Plaintiff indicated that day that he had retained an attorney. Out of respect for counsel, the deposition was cancelled so as to allow Mr. Schuch's attorney to enroll and participate. However, at this time, no attorney has in fact entered his appearance for Mr. Schuch, and accordingly, the defendant has been unable to obtain plaintiff's deposition, mandatory disclosures and/or discovery answers.

By order of this Court dated September 20, 2002, the deadline for all pre-trial motions is January 14, 2003. In light of these circumstances, Defendant has had insufficient time to complete discovery in this matter. This is Allstate's first request for an extension of time, and thus moves for a sixty (60) day extension of time to complete discovery in this matter. Also,

Defendant also moves this Court to order Plaintiff to provide proof of his retention of counsel and correct contact information to the court and defendant.

WHEREFORE, Defendant Allstate Insurance Company, prays that this Court issue an Order extending the deadline for discovery and all pre-trial motions for sixty (60) days; and it is further ordered that Plaintiff, Nicholas Schuch, provide contact information for his attorney including, name, address, telephone and fax number.

Respectfully Submitted,

DANIEL KREBBS
MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN
Local Counsel for Defendant,
Allstate Insurance Company
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Date: _____
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CERTIFICATE

I hereby certify that a copy of the above and foregoing pleading has been served on Plaintiff, *pro se*, Nicholas M. Schuch, Sr., 3237 Pasqualone Blvd., Bensalem, PA 19020.

DANIEL D. KREBBS, ESQUIRE

Date: _____
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Defendant. :
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AND NOW, this _____ day of _____, 2003, upon consideration of the Motion for Extension of Time to complete discovery filed by Defendant, Allstate Insurance Company, it is hereby ORDERED that:

Defendant, Allstate Insurance Company, is hereby granted an additional sixty (60) days from the signing of this Order within which to complete all discovery in this matter. It is further ordered that Plaintiff, Nicholas Schuch, provide to all counsel contact information for his attorney including name, address, telephone and fax.

BY THE COURT:

J.

